

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**MARK R. LASKOWSKI and
RICHARD HALL,**

Plaintiffs,

-vs-

**LIBERTY MUTUAL FIRE INSURANCE
COMPANY,**

Defendant.

NOTICE OF MOTION

Civil Action No.
5:11-CV-340
(GLS/ATB)

PLEASE TAKE NOTICE:

MOTION BY:

HISCOCK & BARCLAY, LLP
Attorneys for Defendant
Liberty Mutual Fire Insurance Company
Office and Post Office Address
80 State Street
Albany, New York 12207-1511

DATE, TIME AND PLACE OF HEARING:

May 17, 2012 at 9:00 a.m.
United States District Court
Northern District of New York
Hon. Gary L. Sharpe - U.S. Courthouse
445 Broadway
Albany, NY 12207-2924

SUPPORTING PAPERS:

Affidavit of Thomas J. O'Connor, dated April 6, 2012; Declaration of Carol L. Bissonette, dated April 5, 2012; and Memorandum of Law, dated April 6, 2012.

RELIEF DEMANDED:

An Order, pursuant to Fed. R. Civ. P. 56, dismissing Plaintiffs' complaint or limiting Plaintiff's damages based on judicial estoppel.

DEMAND FOR ANSWERING PAPERS:

Pursuant to Rule 7.1 (b) (1) of the Local Rules for the United States District Court for

the Northern District of New York, movant demands that any opposing papers be served on the undersigned attorneys no later than seventeen (17) days prior to the return date of the motion.

DATED: April 6, 2012

HISCOCK & BARCLAY, LLP

By: _____



Thomas J. O'Connor
Bar Roll: 103475

Attorneys for Defendant

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